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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 6

Complete if Known

Application Number	10/738,423
Filing Date	December 16, 2003
First Named Inventor	KING, et al.
Art Unit	1633
Examiner Name	Qian Janice LI
Attorney Docket Number	873-Z-US

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
/qjl/	1	US- 6,475,482	11-05-2002	Bermudes, et al.	
	2	US- 5,318,900	06-07-1994	Habuka, et al.	
	3	US- 6,923,972	06-02-2005	Bermudes, et al.	
	4	US- 5,830,702	11-03-1998	Portnoy, et al	
	5	US- 6,051,237	04-18-2000	Paterson, Yvone	
	6	US- 6,863,894	03-08-2005	Bermudes, et al.	
	7	US- 6,447,784	09-10-2002	Bermudes, et al.	
	8	US- 6,685,935	02-03-2004	Pawelek, et al.	
	9	US- 2005-0249709 A1	11-10-2005	Bermudes, et al.	
	10	US- 2003-0059400 A1	03-27-2003	Szalay, et al.	
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FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
/qjl/	12	EP 0322237	06-28-1989	Welcome Foundation, Ltd		
	13	EP 0400958	12-02-1990	Dougan, et al.		
	14	EP 0357208	03-07-1990	Sadoff, et al.		
	15	EP 0285152	03-30-1988	Birkman, et al.		
	16	EP 0338679	10-25-1989	Sherwin, Stephen A.		
	17	EP 0564121	10-06-1993	Karapetyan, Anait		

Examiner Signature	/Q. Janice Li/ (06/12/2007)	Date Considered
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/qjl/	18	EP 00195672	09-24-1986	Matsuhiro, Aizo		
↓	19	WO/1997/008955	03-13-1997	Branstrom, et al.		
	20	JP 06046890	02-22-1994	Karapetyan, Anaito		
	21	WO/1995/05835	03-02-1995	Woo, et al.		
	22	WO/1992/015689	09-17-1992	Charles, et al.		
	23	WO/1999/013053	03-18-1999	Bermudes, et al.		

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Sheet 3	of 6	Attorney Docket Number	873-Z-US

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
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/qjl/	11	Supplemental Partial European Search Report for Vion Pharmaceuticals, Inc., European App'l No. 00957764.1, Filed May 3, 2002, Dated October 10, 2005	
	24	European Search Report issued on May 13, 2005 for VION Pharmaceuticals, Inc., European App'l No. EP 98946891.3	
	25	Aranda, et al., 1992, "Salmonella Typhimurium activates virulence gene transcription within acidified macrophage phagosomes," Proc. Natl. Acad. Sci USA 89:10079-10083	
	26	Bacon, et al., 1950, "The effects of biochemical mutation on the virulence of Bacterium Typhosum: the induction and isolation of mutants," Br. J. Exp. Path. 31:703-713	
	27	Bacon, et al., 1950, "The effects of biochemical mutation on the virulence of Bacterium Typhosum: the virulence of mutants," Br. J. Exp. Path. 31:714-724	
	28	Bacon, et al., 1951, "The effects of biochemical mutation on the virulence of Bacterium Typhosum: the loss of virulence of certain mutants," Br. J. Exp. Path. 32:85-96	
	29	Bast et al., 1975, "Antitumor activity of bacterial infection. I. Effect of Listeria monocytogenes on growth of a murine fibrosarcoma, II. Effect of Listeria monocytogenes on growth of a guinea pig hepatoma" J Natl Cancer Inst. 54(3):749-761	
	30	Bisno, et al., 1990 Classification of Streptococci," Principles and Practice of Infectious Diseases, 1518-1519	
	31	Cowan, et al., 1974, "Part 8-Gram-Negative Facultative Anaerobic Rods," Determinative Biology, 8th ed., 290-340	
✓	32	Gupta, et al., 1995, "A Potent Inhibitor of Endothelial Cell Proliferation is Generated by Proteolytic Cleavage of the Chemokine Platelet Factor 4," Proc. Natl. Acad. Sci USA 92: 7799-7803	

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		Examiner Name	Qian Janice Li
Sheet 4	of 6	Attorney Docket Number 873-Z-US	

OTHER PRIOR ART--NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/qjl/	33	Hibbs, et al., 1976, "Role of activated macrophages in nonspecific resistance to neoplasia," J Reticuloendothel Soc.20:223-231	
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	37	Keller et al., 1990, "Resistance to a non-immunogenic tumor, Induced by Corynebacterium parvum or Listeria monocytogenes, is abrogated by anti-interferon gamma," Int J Cancer 46:687-90	
	38	Koshimura, 1961, "On the streptolysin S synthesizing and anticancer activities of cell-free extract from living hemolytic streptococci," Cancer Chemother Rep. 13: 107-111	
	39	Lee, et al., "Identification of a Salmonella typhimurium Invasion Locus by Selection for Hyperinvasive Mutants", Proc. Nta. Acad. Sci. USA, 89: 1847-1851. 1992	
	40	Mizutani, et al., 1980, "Inhibitory effect of some intestinal bacteria on liver tumorigenesis in gnotobiotic C3H/He male mice," Cancer Letters 11:89-96	
	41	Mullen et al., " Tumors expressing the cytosine deaminase suicide gene can be eliminated in vivo with 5-fluorocytosine and induce protective immunity to wild type tumor," Cancer Res 54:1503-1506. 1994	
↓	42	Murata et al., 1965, "Oncolytic effect of Proteus mirabilis upon tumor bearing animal," Life Sci 4(10):1055-67	

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/qjl/	43	North, et al., 1977, "T-cell-mediated concomitant immunity to syngeneic tumors. I. Activated macrophages as the expressors of nonspecific immunity to unrelated tumors and bacterial parasites," J Exp Med 145(2):275-292	
	44	Okamoto, et al., 2002, "Enhancement of anti-tumor immunity by lipoteichoic acid-related molecule isolated from OK-432, a streptococcal agent, in athymic nude mice bearing human salivary adenocarcinoma: role of natural killer cells," Anticancer Res. 22(6A):3229-39	
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	47	Reilly, et al., 1953, "Microbiology and cancer therapy: review," Cancer Res. 13(12):821	
	48	Romick, et al., 1996, "Aerobic and Anaerobic Metabolism of Listeria monocytogenes in Defined Glucose Medium," Applied and Environmental Microbiol 304-307	
	49	Roy, et al., "Mutations in firA, encoding the second acyltransferase in lipopolysaccharide biosynthesis, affect multiple steps in lipopolysaccharide biosynthesis," J Bacteriol. 176(8):1639-46 1994	
	50	Sakamoto, et al., 1988 "Antitumor effect of normal intestinal microflora on Erlich ascites tumor Jpn. J. Cancer Res. 79: 109-116	
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✓	52	Tsujitani, 1998 "Endoscopic intratumoral injection of OK-432 and Langerhans' cells in patients with gastric carcinoma," Cancer 61(9):1749-53	

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/qjl/	53	Youdim, et al., 1977, "Cooperation of immune lymphoid and reticuloendothelial cells during Listeria monocytogenes-mediated tumor immunity," Cancer Res 37(4):991-996	
	54	Youdim, et al., 1976, "Resistance to tumor growth mediated by Listeria monocytogenes. Destruction of experimental malignant melanoma by LM-activated peritoneal and lymphoid cells. J Immunol 116(3):579-584.	
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	59	Elkins, et al., 1994, "In vivo delivery of interleukin-4 by a recombinant vaccinia virus prevents tumor development in mice", Human Gene Ther., 5(7):809-820	
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